

TESTIMONY OF
THE CONNECTICUT COALITION OF PROPERTY OWNERS
RE: HB 5295

AAC POSSESSIONS OF EVICTED TENANTS

Before the Legislature's Planning & Development Committee

Friday, February 01, 2013

10:00 AM, Room 2B, Legislative Office Building

Good morning. My name is Marshall Collins. I am here today in my capacity as Counsel for the Connecticut Coalition of Property Owners. CCOPO is the largest landlord property owner association in Connecticut. CCOPO has chapters in Hartford, Bridgeport, Stamford and also includes the Connecticut Association of Real Estate Investors. Collectively CCOPO members own approximately 20,000 rental units throughout Connecticut.

CCOPO strongly supports HB 5295 AAC POSSESSIONS OF EVICTED TENANTS. This proposal is an idea whose time has come. The bill would end the practice of requiring municipalities (taxpayers) and blameless landlords from providing free moving and storage of the possessions of evicted tenants.

Consider the facts: after months of not being paid rent, a landlord is forced to go to court to regain possession of his or her property. After all the expense of going to court, if the property owner is successful the Court will issue a judgment evicting the tenant. The judgment recognizes that the tenant has breached the lease and that no further contract exists.

Then a Writ of Execution is issued and served on the former tenant that evicts them from the landlord's property. However, the landlord has to pay to inventory, box up and transport any possessions that the former tenant has left behind. The property must be taken to a municipal facility where the city then has to store it for at least 15 days. After that the municipality then has to publish legal notice of an auction and then to auction those left over possessions. The cost of this social service is expensive to everyone but the guilty party who caused the problem: the evicted tenant.

Please remember that the landlord and municipality have to pay for moving, storage, legal notice and auction, only after extensive legal proceedings, during which every opportunity is presented to the tenant, to protect their rights and interests.

For months the tenant has not paid rent. Now the landlord has to assume the legal expenses of going to court to regain possession of their property. During Summary Process the landlord again receives no rent. Then the landlord and the city have to provide the law-breaking tenant with free moving and storage.

In the past CCOPO and the municipalities have agreed that the responsibility for any property that is left behind should be the responsibility of the tenant who was evicted and left possessions behind. It is only after the Court has

determined that the landlord did nothing wrong, does the present system force both the landlord and the municipality to pay.

HB 5295 places the cost of moving and storing an evicted tenant's property where it belongs, on the tenant that the court has determined must be evicted.

Neither the municipality (taxpayers), nor the retired couple who depends on the rental income from a two or three family house, nor an investor trying to make a mortgage payment should have to provide free moving and storage to such tenants.

Passage of HB 5295 would be a step towards reducing municipal mandates that force up property taxes.

Passage of HB 5295 would be a step towards reducing the costs that each and every landlord faces that make the cost of rental housing in Connecticut one of the highest in the nation.

HB 5295 is a good bill that should finally pass.

This completes my testimony. Thank you for your consideration.